

## **Appendix D: Land Acquisition Process**

This land acquisition process is intended to be used for all Bond and Land Stamp funded acquisitions by the Division of Fisheries & Wildlife.

### ACQUISITION GOALS, OBJECTIVES & CRITERIA

#### GOALS & OBJECTIVES

##### Primary Goal

To acquire land in order to protect and perpetuate ecosystems that contain significant fish and wildlife resources and to conserve the biological diversity of the state. These lands shall be open for compatible public use and enjoyment.

##### Secondary Goal

In conjunction with the Public Access Board, provide adequate routes of access to the lands and waters of the Commonwealth to ensure public use and enjoyment of the state's biological resources compatible with natural resource conservation.

##### Land Conservation Objectives

The highest priorities of the land acquisition effort are to protect:

- High quality riparian, palustrine, and estuarine habitats  
e.g. cold water streams, major rivers, emergent marshes and other wetlands
- Outstanding natural communities  
diversity of natural community types, e.g. limestone wetlands, floodplain forests, old growth forests, and vernal pools.
- Diversity of the state's native species  
habitats for species of management concern, including state-listed species, harvested species, and species associated with interjurisdictional initiatives (e.g. neotropical birds)

### CRITERIA IN EVALUATING AND PRIORITIZING FOCUS AREAS OR PROJECTS

#### PRIMARY CRITERIA – NATURAL RESOURCE VALUES

Meets Conservation and Public Use Objective:

- Degree to which the acquisition addresses stated agency land acquisition conservation objectives and priorities
- expand opportunities for compatible public recreation

Other Natural Resource Values:

- Creation of large blocks of ecologically viable natural land e.g. 500+ acre contiguous tracts of protected land
- Linkages between conservation lands that create larger holdings and may provide possible corridors for wildlife. Enhancement and protection of current DFW holdings

which have been identified as high priority expansion areas and acquisition of in-holdings within existing Wildlife Management Areas.

- Additional natural resource conservation values  
e.g. watershed protection, forestlands, agricultural lands and aquifer protection

## SECONDARY CRITERIA

### Threat

- Imminence of threat
- Degree or nature of threat

### Public Use

- Variety of passive recreational uses compatible with conservation objectives

### Feasibility

- Willing seller
- Staffing considerations
- Legal considerations

### Value

- Cost – value for the price
- Leverage further protection
- Cooperative project

### Management Considerations

- Impact on MDFW land management responsibilities relative to other properties
- Costs associated with waste/building removal
- Geographic and programmatic distribution

## ACQUISITION PROCESS

### FISH & WILDLIFE LANDS COMMITTEE

The duties of this committee are to establish and refine land protection priorities, specifically to:

- (1) help formulate and review all “focus areas” for acquisition planning and
- (2) review and recommend all specific parcels being considered for purchase.

The F&W Lands Committee is composed of individuals from each of the three natural resource sections of the MDFW: the MDFW Chief of Wildlife Lands, Departmental bond administrator, Departmental land attorney, and a representative from each MDFW District, namely, the District Manager or District Land Agent.

The Committee meets at least quarterly. At the beginning of each fiscal year, it reviews progress made towards land acquisition priorities in the previous fiscal year and reevaluates, and adjusts as necessary, acquisition priorities for the new fiscal year. Later in the fiscal year, meetings are largely devoted to consideration of particular acquisitions.

If parcels of land come up between meetings that require rapid action, the MDFW Chief of Wildlife Lands and the Department bond Administrator consult jointly with agency staff as

necessary, then make the best decision possible and subsequently report the action taken on the parcel to the Land Committee.

## **ACQUISITION PLANNING**

Potential Acquisition Parcels or Focus Areas Suggested by:

- MDFW District Offices
- Wildlife, Fisheries & Natural Heritage and Endangered Species Sections
- Other MDFW Staff
- Other state agencies or municipalities
- Sportsmen's clubs
- Non-profit conservation organizations
- Citizens

Conservation Planning/Focus Areas

Establish a workable number of "focus areas" for land acquisition in each District. Focus areas are large enough to protect the specific natural resource feature of interest. These areas are delineated by holding meetings in each District with the Lands Committee at the beginning of each fiscal year. Most acquisitions are selected from these focus areas. At the beginning of each fiscal year the Lands Committee reports to the Fisheries and Wildlife Board and the Commissioner on the prior year's acquisitions.

Focus Area or Property Evaluation

Acquisition proposal prepared by proponent

Review of property acquisition proposal by District Land Agents

- Does proposal address agency's land protection priorities?
- Do attributes constitute a viable ecological system?  
What is significance of contained natural resources on a District Level or state wide basis?

Review deed and maps

Communicate with the District and three natural resource sections

Analyze resources using GIS

Conduct site visit

Consider land management concerns

Contact with land owner to discuss:

- Willingness to sell
- Options for acquisition/protection - full fee, conservation restriction, easement
- Structure of compensation – full value, gift, bargain sale

More detailed evaluation

- additional site visit or field work if necessary
- inventory/evaluation form completed
- acquisition criteria addressed

## **DECISION MAKING**

Land Acquisition Committee Discussion and Recommendation

- Presentation/discussion at MDFW Lands Acquisition Committee
- Acquisition objective articulated
- Rough ranking of importance by consensus
- Geographic balancing if any (e.g. expensive land in east v. cheap west)
- Acquisition and management issues addressed
- Proposed project structure to meet the agency's needs
  - acquisition alternatives explored
  - role of other organizations clarified

Formal recommendation for approval to the Commissioner and Fisheries and Wildlife Board

#### ACQUISITION IMPLEMENTATION

Outside Technical and Legal work Initiated as Needed

Negotiation

DCPO Requirements

Financial Documentation/Processing

Legal Documentation or Acquisition

Acquisition

Notification

Data Management

Outstanding Issues

Cooperative management agreements

MDFW Lands Committee

Role of Lands Committee: continue oversight of MDFW land management and disposition policy issues and specific problems. Management problems posed by a particular new acquisition should be discussed here.